



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE SUSAN M. JOHNSON
FORTY-NINTH ASSEMBLY DISTRICT

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MEMBER
EDUCATION COMMITTEE
ENERGY AND TECHNOLOGY COMMITTEE
FINANCE, REVENUE AND BONDING COMMITTEE

March 9, 2010

To: Representative Berger, Senator LeBeau and members of the Commerce Committee

From: Representative Susan Johnson

RE: House Bill 5439 An Act Concerning Urban Site Remediation

I am Representative Susan Johnson. I represent the 49th House District of Windham, which includes Willimantic. This pertains to the former American Thread Company Property in Willimantic. In the late 19th century the American Thread was one of the largest and most successful industrial plants in New England, but it declined and went out of business several years ago. In late January of 2009 I was asked by the Bankruptcy Court Trustee to work with the Court and Town of Windham to have approximately 20 acres of environmentally contaminated land formerly known as the "American Thread Mill Number 4" property transferred to the Town of Windham or an entity capable of remediating the area. In the alternative, this last 20 acres of open space in Willimantic would in all probability remain in its current condition risking contamination to the surrounding ground water, wetlands and the adjacent Willimantic River.

My experience as a municipal lawyer and former member of the Windham Board of Selectmen caused me to deal very cautiously with the recommendation of the bankruptcy trustee to have the Town take control of this large area of contaminated land. Therefore, I began to investigate to determine the extent of the contamination. I also studied the structure of the present ownership entity and its membership, which has only the bankrupt owner listed with the Secretary of State as a member of the "Windham Mills" board. The bankruptcy trustee offered to try to have the court remove the property from the bankrupt owner who mismanaged this property for several years and have the property transferred to another entity capable of remediation and, ultimately, economic development.

I thank Chairman Berger for his assistance in bringing together Commissioner McDonald of the Department of Economic Development, and representatives from the Department of Environmental Protection to help me wade through complexities which had to be overcome before I could act to create an entity to aggressively seek to remediate and redevelop this property so it will no longer be a hazard and drain on our local and regional economy. Their recommendation to me was that I must have an entity willing to do the work necessary to clean up and ultimately market this parcel of land.

Since our last meeting, I have been working with the Mills bankruptcy trustee to encourage interested and informed members of the Windham region to come together and become members of the Windham Mills Development Corporation, Inc. to work with the Environmental Protection Agency and all other appropriate government entities to finish the clean up process around the Windham Mills Project. We have met three times; our fourth meeting will take place on Saint Patrick's Day, next week. Former state representative Walter Pawelkiewicz was elected Chairman of this Committee, and we are working on the details of creating the new, not-for-profit Windham Mills Board.

The other individuals, besides Walter Pawelkiewicz, who have joined me in this effort are Eastern Connecticut State University President Elsa Nunez, George Hernandez from the Access Agency, Tom DeVivo, and Robert Horrocks of the Town of Windham Economic Development Commission, George Buch of the Willimantic Victorian Neighborhood Association, Director Mark Paquette of Windham Region Council of Governments, Rheo Brouillard, president of the Savings Institute, Albert Vertefeuille, former member of the Windham Mills Development Corp. Inc., and Attorney Jean Perry Phillips of Pepe & Hazard whose background includes environmental remediation. This is a very capable and focused committee, however, the Committee has no resources and cannot afford liability and directors insurance. In order for the Windham Mills Committee to take on this responsibility of remediation and economic development the members must be protected by directors insurance and liability insurance on the property. This bill would enable the Committee to become a Board of Directors, complete the cleanup of this very important and beautiful riverside property in historic Willimantic and begin to develop it for the benefit of our entire region and the State of Connecticut.

Thank you for raising this bill and for your support in this important endeavor.

Hughes, Mary Alice

From: Barbara Willard [bwillard@sumnerandsumner.com]
Sent: Thursday, February 25, 2010 10:00 AM
To: Rep. Johnson, Susan; susanjohnson@cga.ct.gov
Subject: FW: Windham Mills Development Corp
Attachments: Traverlers Non Profit D & O App.pdf

*Barbara Willard
Sumner & Sumner, Inc.
Phone: 860 423 7733 ext. 231
Fax: 860 450 7240
Email: bwillard@sumnerandsumner.com*

From: Barbara Willard
Sent: Thursday, February 25, 2010 9:57 AM
To: 'susan.johnson@CGA.CT.Gove'
Subject: Windham Mills Development Corp

Susan,

As per our telephone conversation of this morning attached please find a Travelers application for Non Profit Directors and Officers Liability Coverage. We could expect the annual premium to be about \$1500.

Please let us know if we can be of assistance.

<<Traverlers Non Profit D & O App.pdf>>

*Barbara Willard
Sumner & Sumner, Inc.
Phone: 860 423 7733 ext. 231
Fax: 860 450 7240
Email: bwillard@sumnerandsumner.com*



S.H. Smith & Company, Inc.

661 Highland Avenue
Needham Heights, MA 02494

September 15, 2009

T/ 781.449.2227
800.735.1023
F/ 781.449.1662

www.shsmith.com

Marilynn Rokes
Renaissance Alliance Insurance Services, LLC
981 Worcester Street
Wellesley, MA 02482

Fax: (781) 431-0222

Risk #: 9271719
App #: 9185502

BINDER

Assigned Policy Number: **WS040752**
Assigned Policy Term: **1 Year**

Binder Number: 9271719-194259

THIS IS TO CERTIFY that the undersigned have procured insurance as hereinafter specified from:

Company: **Northfield Insurance Company**

Insured: **WINDHAM MILLS DEVELOPMENT
CORPORATION**

Address: **322 MAIN STREET
WILLIMANTIC, CT 06226**

This Binder shall be effective from 12:01 A.M., 09/14/2009 standard time at the address of the Insured as stated above, and shall be subject to all the terms and conditions of the policy in current use by the Company. Unless cancelled in accordance with the provisions set forth below, this Binder shall remain effective for 90 days or until replaced by issuance of the Company's policy, whichever first occurs.

COMMERCIAL GENERAL LIABILITY COVERAGE

\$2,000,000 General Aggregate
\$2,000,000 Product / Completed Operations Aggregate
\$1,000,000 Personal / Advertising Injury
\$1,000,000 Each Occurrence
\$100,000 Damage to Premises Rented to You (any one fire)
\$5,000 Medical Expenses (Any One Person)
Deductible:
\$500 BI & PD Liability Combined Per Claim
Including Costs & Expenses

NOTES:

Commission to your office: 10%
Premium due: 15 days from the effective date


STANDARD POLICY CONDITIONS:

Policy Min Earned Premium: 25%

Premium Minimum & Deposit

Service of Suit

Binder Number: 9271719-194259

 S.H. Smith & Company, Inc.

Premium:	\$1,000.00
Policy Fee:	\$60.00
Surplus Line Tax:	\$40.00
Total:	<u>\$1,100.00</u>

Non-admitted Insurers. Premium is subject to CT surplus lines tax. S. H. Smith & Company, Inc. is licensed to handle filings in this state. Unless you notify us that your firm will handle the tax filings we will automatically invoice you for the tax for this state. This quote is contingent upon proper compliance with State statutes regarding affidavits.

Please Note: You must be licensed in the state of CT in order to bind coverage.

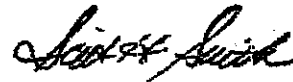
This binder is subject to any Company mandated forms or endorsements which are either updated, added or deleted at the time this contract is issued.

In the event of cancellation or expiration of this binder without a policy or certificate being issued, the Insurer shall be entitled to an earned premium for the time in force at short rate of the annual rate as charged by Insurers hereof if cancelled by the Insured; and at pro rata of the annual rate if cancelled by the Insurer.

NO FLAT CANCELLATIONS

Date: September 15, 2009

By:



Renaissance Alliance Insurance Services, LLC
981 Worcester Street • Wellesley, MA 02482 • (781) 431-9800

INVOICE



Gledhill, Margaret
Windham Mills Development Corporation
322 Main Street
Willimantic, CT 06226

CLIENT	Gledhill, Margaret
DATE	09/16/2009
YOUR AGENT	Sumner & Sumner-Agency Sumner & Sumner Ins
PAGE	1 of 1
DUE UPON RECEIPT OR EFFECTIVE DATE	
AMOUNT DUE	
AMOUNT PAID	1,100.00
PAYMENT FOR:	Invoice #52068
WS040752	

Please detach and return this portion with your payment

Make checks payable to: RAIS

INVOICE #	EFFECTIVE DATE	TRANSACTION TYPE	DESCRIPTION	AMOUNT
52068	09/14/2009	Renew policy	Policy #WS040752 09/14/2009-09/14/2010 Northfield Insurance Company General Liability - Renew policy Surplus Lines Tax - Renew policy Policy Fee - Renew policy	1,000.00 40.00 60.00
TOTAL				1,100.00

If you have already paid your Agent or RAIS
Please keep this invoice for your records

THANK YOU!

Renaissance Alliance Insurance Services, LLC
981 Worcester Street • Wellesley, MA 02482
Wellesley, MA 02482

(781) 431-9800

DATE	09/16/2009
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ADDENDUM

HB5439 BUDGET FOR INSURANCE AND EXPENSES

LIABILITY FOR NON PROFIT DIRECTORS AND OFFICERS	\$1,500
COMMERCIAL GENERAL LIABILITY COVERAGE	\$1,100
COST OF SUPPLIES FOR APPLICATION FOR REMEDICATION OF BROWNFIELDS	\$2,400
TOTAL BUDGET	\$5,000